

Late Filing

Dear FCC Commissioners & Staff:

My name is Barry Zettlemoyer and I am the CEO and president of an independent isp 1USA.COM, in Reading, PA. We began business in 1996 and presently have 5,400 customers, most of whom live and work in the 5 surrounding counties but we also do a fair amount of web hosting for customers throughout the nation, and have some overseas customers as well.

We offer many services that our local phone company, VERIZON, does not. Services like free Internet training classes on Thursday nights, at our offices. We also helped our local library get online, even before and without the e-rate, and we also have relationships with CampFire organization, Olivet's Boys Clubs, Pennsylvania Junior Miss scholarship program, and others.

When we opened for business we started, as many ISPs did, with a stack of ordinary dial-up modems and a fistful of phone lines from Bell Atlantic. Nowadays we have moved on from ordinary phone lines to digital PRI's (Primary Rate ISDN), and recently VERIZON TRIPLED OUR WHOLESALE COST !!!!

If we want to offer Internet access over DSL to our customers, we must do it through Verizon circuits, and the prices offered to us make it impossible for us to compete. We are expected to pay \$40 per month for the data line to reach the customer, and turn around and compete with Verizon, which is offering reconfigured phone lines, internet access and free \$200 modems, for \$49.95 per month. There is no way we can offer this product without losing money, and so we have stayed out of the DSL market. Unfortunately this also means that we are losing customers, either to Verizon for DSL or to the cable company ComCast, since more and more of our customers are demanding faster access and if we can't provide it, they'll go to someone who will. If that trend continues, 1USA.COM will not be around much longer.

I do not have the resources to fight the tariff that Verizon has filed that allows it to get away with charging ISPs a wholesale rate of \$40 for access to the network. I believe the true cost is probably a great deal less than that... more like \$18.00 per month. However, I also do not believe that the answer to this problem is simply to allow Verizon to stop selling access to the network at all, or to take away the requirements that are supposed to be preventing the RBOC's from discriminating.

The answer is for the FCC to make a good faith effort to uncover the discrimination (whether it is in pricing or provisioning) and put an end to it. Until the FCC has demonstrated that it is willing to do this for TAXPAYING ISPs, any talk about lifting the rules for monopolies is premature.

I hope that you will take my comments seriously - I am sending a copy of this letter to my Congressman, Tim Holden, as well.

Independent Internet Service Providers (ISPs) introduced Americans to the Internet, and continue to be the driving force in its expansion. But ISPs are being targeted as never before by punitive legislation, potential regulation, and anti-competitive practices.

The FCC NPRM is a mind-numbing document. It asks a lot of questions about the law and how it should be interpreted. Leave that to the lawyers. I don't think that the FCC seems to understand where ISPs fit in the food chain, and how we add value to consumers. To the FCC, as long as consumers have competition between 4 or 5 big Internet access providers, that's all the competition everyone wants or needs, huh?. The FCC's rulings show the attitude of 'There's nothing valuable or interesting about the small ISP' which is a false opinion.

One: 1USA.COM does MANY things for consumers in our community that the big boys can't or won't.

The FCC's decisions are not made in a regulatory vacuum, but affect real people, and America's real economy. 1USA buys lines & services from VERIZON and we can't get it anywhere else. I would particularly want to buy access to the network in order to service my customers over DSL. Which leads us to point number two.

Two: ISPs' onl

Sincerely,

Barry Zettlemoyer  
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